

REMARKS

Claims 1-42 stand rejected under obviousness-type double patenting based on U.S. Patent No. 6,675,017. In response, the Applicant is submitting a Terminal Disclaimer relative to that patent. Accordingly, the rejection based on the '017 patent is overcome.

Claims 1-42 are also provisionally rejected under obviousness-type double patenting based on certain claims of co-pending Application No. 10/704,775. The undersigned believes the '775 application remains pending in the Office. Because this provisional double-patenting rejection is the only rejection remaining in the present application, the Applicant requests the Examiner to withdraw that rejection and permit the present application to issue. MPEP 804 (I)(B).

By an Information Disclosure Statement filed July 15, 2003 in the present application, the Applicant disclosed pending Application No. 09/740,372. That application received an Office Action on November 2, 2004 and the Applicant is enclosing a copy of that action.


S/N 09/740,414

The foregoing is submitted as a complete response to the Office Action identified above. The Applicants submit that the present application is in condition for allowance and solicit a notice to that effect.

Respectfully submitted,

MERCHANT & GOULD

Date: January 5, 2005



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60027.0440 US01



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/740,372

12/19/2000

Samuel N. Zellner

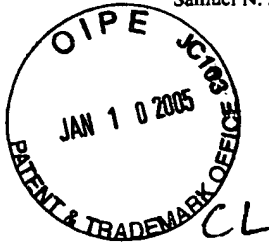
ATTORNEY DOCKET NO.	CONFIRMATION NO.
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11/02/2004

Jonathan C. Parks, Esq.
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 535 Smithfield Street
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60027.0440 US01 ✓

EXAMINER

MILLER, BRANDON J

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 11/02/2004

FR 2 mo: 01/02/2005

FR 3 mo/PTA: 02/02/2005

FR 6 mo: 05/02/2005

D/

Please find below and/or attached an Office communication concerning this application or proceeding.

NOV - 5

Office Action Summary

Application No.

09/740,372

Applicant(s)

ZELLNER ET AL.

Examiner

Brandon J Miller

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☒ Interview Summary (PTO-413) Paper No(s) 10/22/04.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Interview Summary	Application No. 09/740,372	Applicant(s) ZELLNER ET AL.	
	Examiner Brandon J Miller	Art Unit 2683	

All participants (applicant, applicant's representative, PTO personnel):

(1) Brandon J Miller. (3) _____

(2) Daniel R. Miller. (4) _____

Date of Interview: 22 June 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____

Claim(s) discussed: 1, 11, and 16.

Identification of prior art discussed: Walsh (US 6,662,014 B1) and Owensby (US 6,647,257 B2).

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Prior art was discussed along with potential amendments to claims.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

DETAILED ACTION

Response

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 9, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh in view of Fitch.

Regarding claim 1 Walsh teaches a method of providing an identity-blocking service (see col. 3, lines 5-7). Walsh teaches obtaining an identity of a user operating a wireless communication device (see col. 4, lines 54-55). Walsh teaches obtaining first information about a first location of the user (see col. 8, lines 55-59). Walsh teaches transferring the first information about the first location of the user to a third party without disclosing the identity of the user to the third party (see col. 8, lines 60-64). Walsh does not specifically teach continuously obtaining, at pre-determined time intervals, information about a location of a user; or continuously transferring the information. Fitch teaches continuously obtaining, at pre-determined time intervals, information about a location of a user; and continuously transferring the information (see col. 10, lines 19-37 and col. 11, lines 19-21 & 27-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include continuously obtaining, at pre-determined time intervals, information about a location of a user; and continuously transferring the information because this would allow for a

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tracking system to efficiently provide location information to wireless location-based applications.

Regarding claim 9 Walsh teaches receiving information about the location of a user supplied by a wireless communication device (see col. 8, lines 55-59). Fitch teaches continuously receiving, at pre-determined time intervals, information about the location of a user (see col. 10, lines 19-37 & 45-57).

Regarding claim 14 Walsh and Fitch teach a device as recited in claim 1 except for allowing a user to unblock disclosure of the identity of a user to a third party. Walsh does teach allowing a user to set rules of communication that will prohibit at least one of an identity and a location of a user to a third party (see abstract and col. 2, lines 61-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the invention adapt to include allowing a user to unblock disclosure of the identity of a user to a third party because this would allow for direct communication between a WEB based advertisement distributor and a wireless subscriber.

Claims 2-8, 11-13, 15- 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh in view of Fitch and Owensby.

Regarding claim 2 Walsh and Fitch teach a device as recited in claim 1 except for charging a fee to a user for blocking the identity of a user from being disclosed to a third party. Walsh does teach blocking the identity of a user from being disclosed to a third party (see col. 8, lines 60-64). Owensby does teach charging a fee for a provided service (see col. 21, lines 58-60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the invention adapt to include charging a fee to a user for blocking the identity of

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a user from being disclosed to a third party because this would allow for subscriber information used in WEB based distribution of advertisements to be available at a charge.

Regarding claim 3 Owensby teaches a third party that is an advertiser desirous of sending an advertisement to a wireless communication device (see abstract and col. 11, lines 20-25).

Regarding claim 4 Walsh teaches storing information about the identity of a user (see col. 4, lines 54-55). Owensby teaches a variety of user specific information about the identity of a user and storing the information about the identity of the user (see col. 15, lines 47-59 and FIG. 2).

Regarding claim 5 Owensby teaches requesting a user to provide a variety of information about the identity of the user that is performed when the user signs up for a communication service that allows the user to operate the wireless communication device (see col. 15, lines 47-52).

Regarding claim 6 Walsh teaches a method of requesting an identity-blocking service (see col. 2, lines 60-67 and col. 3, lines 5-7). Owensby teaches requesting a user to provide a variety of information about the identity of the user that is performed when the user signs up for a communication service (see col. 15, lines 47-52).

Regarding claim 7 Owensby teaches storing information that includes a maintaining a database to store information therein (see col. 15, lines 47-59 and FIG. 2).

Regarding claim 8 Walsh and Fitch teach a device as recited in claim 1 except for obtaining information about the location of a user that includes continuously monitoring, at pre-determined time intervals, one or more signals transmitted by the wireless communication device operated by the user; and continuously determining, at pre-determined time intervals the location

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of the user based on an analysis of one or more signals. Fitch does teach continuously monitoring, at pre-determined time intervals, one or more signals transmitted by the wireless communication device and continuously determining, at pre-determined time intervals the location of the user based on an analysis of one or more signals (see col. 10, lines 19-37 & 45-57 and col. 11, lines 19-21 & 27-30). Owensby teaches obtaining information about the location of a user that includes monitoring one or more signals transmitted by the wireless communication device operated by the user; and determining the location of the user based on an analysis of one or more signals (see col. 12, lines 26-37, 40-43 & 50-60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include obtaining information about the location of a user that includes continuously monitoring, at pre-determined time intervals, one or more signals transmitted by the wireless communication device operated by the user; and continuously determining, at pre-determined time intervals the location of the user based on an analysis of one or more signals because this would allow for a tracking system to efficiently provide location information to wireless location-based.

Regarding claim 11 Owensby teaches monitoring the movement of a user operating a wireless communication device (see col. 12, lines 30-37). Owensby teaches sending an indication of the location when the user is found to be in a substantially continuous motion (see col. 12, lines 52-63).

Regarding claim 12 Walsh and Fitch teach a device as recited in claim 1 except for charging a fee to a third party for information about the first location of a user. Walsh does teach information about the location of a user (see col. 8, lines 54-64). Owensby does teach charging a fee for a provided service (see col. 21, lines 58-60). It would have been obvious to one of

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ordinary skill in the art at the time the invention was made to make the invention adapt to include charging a fee to a user for blocking the identity of a user from being disclosed to a third party because this would allow for subscriber information used in WEB based distribution of advertisements to be available at a charge.

Regarding claim 13 Walsh and Fitch teach a device as recited in claim 1 except for disclosing the identity of a user to an emergency service provider when a user request emergency help. Fitch does teach disclosing location information to an emergency service provider (see col. 6, lines 20-29). Owensby does teach disclosing the identity of a user (see col. 15, lines 43-47). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the invention adapt to include disclosing the identity of a user to an emergency service provider when a user request emergency help because this would allow for WEB based distribution of advertisements to be bypassed during an emergency situation.

Regarding claim 15 Walsh and Fitch teach a device as recited in claim 1 except for allowing a user to unblock disclosure of the identity of a user over the Internet. Walsh does teach allowing a user to set rules of communication that will prohibit at least one of an identity and a location of a user to a third party (see abstract and col. 2, lines 61-67). Owensby does teach a wireless communications services that include the Internet (see col. 11, lines 61-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the invention adapt to include allowing a user to unblock disclosure of the identity of a user to a third party because this would allow for direct communication between a WEB based advertisement distributor and a wireless subscriber.

Regarding claim 16 Walsh teaches a method of providing information about a location of a user operating a wireless communication device (see col. 8, lines 52-59). Walsh teaches obtaining an identity of a user operating a wireless communication device (see col. 4, lines 54-55). Walsh teaches identifying the location of the user of the wireless communication device (see col. 5, lines 39-42 and col. 8, lines 55-59). Walsh teaches transferring information about the location of the user that excludes disclosure of the identity of the user (see col. 8, lines 60-64). Walsh does not specifically teach continuously identifying, at pre-determined time intervals, the location of the user of the wireless communication device; and continuously transmitting the information or a subscriber desirous of sending an advertisement to a wireless communication device. Fitch teaches continuously identifying, at pre-determined time intervals, the location of the user of the wireless communication device; and continuously transmitting the information (see col. 10, lines 19-37 and col. 11, lines 19-21 & 27-30). Owensby teaches a third party that is an advertiser desirous of sending an advertisement to a wireless communication device (see abstract and col. 11, lines 20-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to specifically include continuously identifying, at pre-determined time intervals, the location of the user of the wireless communication device; and continuously transmitting the information or a subscriber desirous of sending an advertisement to a wireless communication device because this would allow for secure WEB based distribution of advertisements to wireless communication subscribers.

Regarding claim 17 Walsh, Fitch, and Owensby teach a device as recited in claim 16 except for charging a fee to a user for preventing the disclosure of the identity of the user to the subscriber. Walsh does teach preventing the disclosure of the identity of the user to a subscriber

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(see col. 8, lines 60-64). Owensby does teach charging a fee for a provided service (see col. 21, lines 58-60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the invention adapt to include charging a fee to a user for blocking the identity of a user from being disclosed to a third party because this would allow for subscriber information used in WEB based distribution of advertisements to be available at a charge.

Regarding claim 18 Walsh, Fitch, and Owensby teach a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 19 Walsh, Fitch, and Owensby teach a device as recited in claim 5 and is rejected given the same reasoning as above.

Regarding claim 20 Walsh, Fitch, and Owensby teach a device as recited in claim 8 and is rejected given the same reasoning as above.

Regarding claim 21 Walsh, Fitch, and Owensby teach a device as recited in claim 12 and is rejected given the same reasoning as above.

Regarding claim 22 Walsh, Fitch, and Owensby teach a device as recited in claim 16 except for obtaining information about the location of a user that includes continuously monitoring, at pre-determined time intervals, the movement of the user operating the wireless communication device; and continuously informing the subscriber, at pre-determined intervals about changes in the location of the subscriber. Fitch does teach obtaining information about the location of a user that includes continuously monitoring, at pre-determined time intervals, the movement of a wireless communication device; and continuously providing information, at pre-determined intervals regarding changes in the location of the wireless device (see col. 10, lines

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19-37 & 45-57 and col. 11, lines 19-30). Owensby does teach monitoring the movement of a user operating a wireless communication device (see col. 12, lines 30-37). Owensby does teach informing a subscriber at pre-determined intervals about changes in location of a user (see col. 12, lines 26-37, 40-60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include obtaining information about the location of a user that includes continuously monitoring, at pre-determined time intervals, the movement of the user operating the wireless communication device; and continuously informing the subscriber, at pre-determined intervals about changes in the location of the subscriber because this would allow for a tracking system to efficiently provide location information to wireless location-based.

Regarding claim 23 Walsh, Fitch, and Owensby teaches a device as recited in claim 16 except informing a subscriber over the Internet. Walsh does informing a subscriber about location information (see col. 8, lines 55-59). Owensby does teach a wireless communications services that include the Internet (see col. 11, lines 61-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the invention adapt to include allowing a user to informing a subscriber over the Internet because this would allow for direct communication between a WEB based advertisement distributor and a wireless subscriber.

Regarding claim 24 Walsh, Fitch, and Owensby teach a device as recited in claim 16 except for disclosing the identity of a user to an emergency service provider when a user request emergency help. Fitch does teach providing location information to an emergency service provider (see col. 6, lines 20-29). Owensby does teach disclosing the identity of a user (see col. 15, lines 43-47). It would have been obvious to one of ordinary skill in the art at the time the

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invention was made to make the invention adapt to include disclosing the identity of a user to an emergency service provider when a user request emergency help because this would allow for WEB based distribution of advertisements to be bypassed during an emergency situation.

Regarding claim 25 Walsh, Fitch, and Owensby teach a device as recited in claim 15 and is rejected given the same reasoning as above.

Response to Arguments

Applicant's arguments with respect to claims 1-9 and 11-25 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Tajima et al U.S. Patent 6,101,381 discloses a telecommunications system, radio base station thereof, and portable telecommunication terminal thereof.

Rouhollahzadeh et al. U.S. Patent 6,208,866 discloses a system and method for location-based marketing to mobile stations with a cellular network.

Mankoff U.S. Patent 6,385,591 discloses a method and system for electronic organization of coupons.

Rochkind U.S. Patent 5,875,401 discloses a method and apparatus for initiating wireless messages.

Rachabathuni et al. U.S. Patent 6,628,938 discloses a wireless system, a method of selecting an application while receiving application specific messages and user location method using user location awareness.

Zellner et al. U.S. Patent 6,675,017 discloses a location blocking service for wireless networks.

Zellner et al. U.S. Patent 6,738,808 discloses an anonymous location service for wireless networks.

Meadows et al. U.S. Patent 6,716,101 discloses a system and method for monitoring the location of individuals via the World Wide Web using a wireless communications network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J Miller whose telephone number is 703-305-4222. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

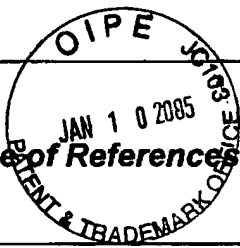
October 22, 2004

~~WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600~~



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Notice of References Cited



Application/Control No.

09/740,372

Applicant(s)/Patent Under
Reexamination
ZELLNER ET AL.

Examiner

Brandon J Miller

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U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,647,257	11-2003	Owensby, Craig A.	455/414.1
	B	US-6,662,014	12-2003	Walsh, Patrick Jay	455/456.2
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